

NOT TO BE PUBLISHED

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(San Joaquin)

THE PEOPLE,

Plaintiff and Respondent,

v.

STACY LAMAR LEWIS,

Defendant and Appellant.

C074556

(Super. Ct. No. SF124490A)

This appeal comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).

By an amended complaint, defendant Stacy Lamar Lewis was accused of possession of a firearm by a felon (count 1; Pen. Code, § 29800, subd. (a)(1); undesignated section references are to the Penal Code) and driving without a valid license (count 2; Veh. Code, § 12500, subd. (a)). As to count 1, it was alleged that defendant was previously convicted of robbery, a strike (§§ 211, 667, subds. (b) - (i), 1170.12).

Defendant pleaded no contest to count 1 and admitted the strike in return for the dismissal of count 2 and a stipulated 32-month state prison term (16 months, the low term, doubled for the strike). The stipulated factual basis for the plea was that on June 21, 2013, police officers stopped defendant's vehicle and placed him in custody as a parolee at large, then found an M-1 rifle in the trunk.

The trial court imposed the agreed-on 32-month state prison term. The court granted defendant 54 days of presentence custody credit (27 actual days and 27 conduct days). The court imposed a \$308 restitution fine (§ 1202.4, subd. (b)) and a suspended parole revocation restitution fine in the same amount (§ 1202.45), a \$40 court operations fee (§ 1465.8), and a \$30 conviction assessment (Gov. Code, § 70373).

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

_____ HULL _____, J.

We concur:

_____ NICHOLSON _____, Acting P. J.

_____ HOCH _____, J.